

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
MEMPHIS**

In re:)
)
WILLIAM TAGG,) **Case No. 21-23424**
) **Chapter 11, Subchapter V**
Debtor.) **Before The Honorable Jennie D. Latta**
)

**SUPPLEMENTAL AND ADDITIONAL RESPONSE BY PHH MORTGAGE
CORPORATION TO DEBTOR'S OBJECTION TO THE CLAIM OF DEUTSCHE
BANK NATIONAL TRUST COMPANY [Dkt. # 34]**¹

COMES NOW, PHH Mortgage Corporation (“**PHH**”) and files this *Supplemental and Additional Response by PHH Mortgage Corporation to Debtor’s Objection to the Claim of Deutsche Bank National Trust Company [Dkt. # 34]* (the “**Supplemental Response**”). In support of its Supplemental Response, PHH submits the following:

1. On October 18, 2021, Mr. William Tagg (the “**Debtor**”) filed his petition under Subchapter V of Title 11 of the Bankruptcy Code.
2. On November 30, 2021, Deutsche Bank National Trust Company as Trustee for Indymac Indx Mortgage Loan Trust 2007-AR211P, Mortgage Pass-Through Certificates Series 2007-AR211P filed its Proof of Claim for \$1,769,278.86 [Claim No. 1-1, p. 2].²
3. On December 1, 2021, the Debtor filed his *Objection to the Claim of Deutsche Bank National Trust Company* [Dkt. # 34], in which he argued that “the claim is subject to ongoing litigation in the Florida state courts” and “it is clear that there is no personal liability or guaranty” by the Debtor. *Id.*

¹ PHH Mortgage Corporation is Servicer for Deutsche Bank National Trust Company as Trustee for Indymac Indx Mortgage Loan Trust 2007-AR211P (the “**Trust**”), Mortgage Pass-Through Certificates Series 2007-AR211P.

² The proof of claim contains a fixed interest rate and cure amounts. *See id.* at 2.

4. On December 28, 2021, Bonnie S. Culp, counsel for PHH, filed a *Response to Objection to Claim of Deutsche Bank National Trust Company as Trustee for Indymac Indx Mortgage Loan Trust 2007-AR211P, Mortgage Pass-Through Certificates Series 2007-AR211P* [Dkt. # 42].

RESPONSE & RESERVATION OF RIGHTS

5. The undersigned counsel has recently been retained to serve as lead counsel for PHH with regard to the claim objection. PHH currently objects to any disallowance or reduction to its Claim [Claim No. 1-1]. Undersigned counsel is investigating the facts and contacting foreclosure counsel in Florida to fully understand where things stand regarding the foreclosure litigation and this bankruptcy. Once additional details from counsel in Florida are received, PHH will update its response, justifying the Claim [Claim No. 1] or amending it if necessary.

6. PHH reserves its rights to further amend or alter this Supplemental Response when additional information is provided to it, all at the Court's discretion.

Respectfully submitted this 30th day of December, 2021.

/s/ David W. Houston, IV
David W. Houston, IV (#020802)

Attorneys for PHH Mortgage Corporation as Servicer

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of December, 2021, I caused the foregoing document to be filed utilizing the Court's CM/ECF electronic document filing system, which caused notice of the filing to be electronically delivered to all parties who have entered an appearance in this matter.

/s/ David W. Houston, IV
David W. Houston, IV

OF COUNSEL